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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women
Sixty-third session

Summary record of the 1378th meeting
Held at the Palais des Nations, Geneva, on Wednesday, 17 February 2016, at 3 p.m.

Chair: Ms. Hayashi

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The meeting was called to order at 3.05 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Combined seventh and eighth periodic reports of Iceland (continued) (CEDAW/C/ISL/7-8; CEDAW/C/ISL/Q/7-8 and Add. 1)

1. *At the invitation of the Chair, the delegation of Iceland took places at the Committee table.*

2. **The Chair** invited the delegation of Iceland to continue with their replies to questions put by Committee members at the previous meeting.

Articles 10 to 14 (continued)

3. **Ms. Erlingsdóttir** (Iceland) said that one of the tasks assigned to the Action Group on Equal Pay was to submit to the Ministry of Education, Science and Culture recommendations for a long-term policy to tackle gender segregation in education. While an increasing number of women were pursuing traditionally male-dominated careers, the same trend was not true for men and traditionally female-dominated careers, such as nursing and teaching. True progress would be achieved once gender segregation was eliminated in all sectors. Universities had adopted measures to encourage women to enrol in programming and other technical subjects and, since 2012, the Action Group had been working with social partners to increase women's involvement in the private sector, including in construction and industry.

4. The Ministry's mandate to monitor compliance with gender equality also covered sport. The media played a crucial role in that regard. In the lead-up to the 2015 Gender Equality Forum, a survey had been conducted on the percentage of women and men interviewed in the public and private news media; the results — approximately 30 per cent women against 70 per cent men — had prompted extensive public discussion. The public media had immediately undertaken efforts to remedy the situation and were monitoring their numbers themselves. Similar surveys were now conducted yearly. The results of the survey regarding sport media broadcasting had been even more alarming: 20 per cent women against 80 per cent men were interviewed on average. To deal with this discrepancy, a section on sport and the media would be included in the new gender equality action plan; one proposal under that section called for instituting a woman-of-the-year award. Textbooks would also need to be modified.

5. In the aftermath of the 2008 economic crisis, anti-Government protests had erupted throughout Iceland; people had expressed the desire to see a new society, based on fair values and greater democracy. Further, in the wake of the bank collapse, those female heads of banks who had once been criticized for being risk-averse were now praised for being risk-aware. The first left-wing Government in Iceland, led by a woman, had also been the first to introduce gender quotas. Unemployment among women had not been as high as feared during the recession because the male-dominated sectors had been hardest hit. The public sector, which accounted for the majority of female workers, had scarcely been affected. Even though cuts had subsequently been imposed in the public sector, a spike in tourism had simultaneously occurred, thus buffering the shock. Overall, there had been no significant change to the situation of men and women in the labour market, despite the crisis. The percentage of women had remained roughly the same since 2008, at around 48 per cent.

6. The majority of the population was employed full-time. A higher proportion of women (about one-third) worked part-time jobs, the figure for men being 13.5 per cent. When asked why they worked part-time, 30 per cent of women, and not a single

man, had mentioned family responsibilities. Such a discrepancy in the answers pointed to significant gender imbalance and underlying inequalities. Overall, women were more likely to be responsible for childcare and elderly care; to take parental leave; to do unpaid labour; to suffer in terms of career development; to earn less than men over their working life; and, as a result, to rely to a greater extent on welfare. The Government was currently discussing the need to reduce the number of women employed part-time, not just because of the implied costs for society, but because women should have greater freedom to choose their type of employment. The Welfare Watch project, part of which focused on gender equality, had revealed that 70 per cent of those living in poverty or near the borderline were women; elderly women in particular were at risk. Among the younger population living in poverty, the majority were single mothers (who themselves made up 90 per cent of single parents).

7. The Action Group on Equal Pay, whose mandate had been extended to 2016, included representatives of four national federations of wage earners and their negotiation partners; it was important to note that the Action Group's work was financed under the Gender Equality Action Plan. During the period 2008-2013, the overall wage gap was just over 7 per cent, with a slightly more significant gap in the private sector. The wage differential could be largely attributed to the gender divide in the labour market. Efforts to chart out the positions of the sexes in the labour market and subsequently to make proposals for achieving greater gender equality in employment had delayed adoption of the Gender Equality Action Plan; however, it was important to ensure that such proposals were included in the Action Plan to ensure funding. One positive trend was that the public sector was increasingly recruiting women into managerial positions. In addition, perhaps as a result of companies' encouragement of both men and women to take parental leave, the division of household chores was now more evenly split between the sexes.

8. The equal pay standard, which had been developed in broad cooperation with the social partners, was just one project among many management standards. While it represented a milestone in terms of international standards, it alone would not eradicate the gender pay gap, even if applied without exception. The structure of and access to the labour market would continue to be an obstacle to complete gender equality. It was therefore of the utmost importance to develop a long-term plan, of which the equal pay standard would be one element.

9. A pilot project related to the equal pay standard had been set up to introduce the standard to the largest number of potential users; it would come to an end in the spring of 2016. A series of awareness-raising measures had been carried out, including special courses and seminars for human resource managers and certification bodies. It was important to make the standard attractive if it was to be implemented. Indeed, although many businesses had attended the seminars offered, the lack of resources was often cited as a concern in the future implementation of the standard. It was hoped that the standard would enjoy widespread use.

10. Parental leave was financed by an insurance levy in Iceland; it was therefore not possible to change the legislation that had imposed cuts on disbursements without engaging in new consultations with the relevant stakeholders. However, a committee comprising ministerial and social partner representatives had been working on measures to improve the parental leave mechanism. Thus far, it had been agreed that the period of leave should be increased from 9 to 12 months, and that a higher ceiling and a minimum rate of disbursements should be adopted. According to research, not just men in higher positions with higher salaries, but men at all income levels were refusing the leave, as were women, as they felt they could not afford to give up the income. They were also turning to alternative, private solutions to cover the care of their children between the period of parental leave and enrolment in nursery school.

11. **Ms. Bolladóttir** (Iceland) said that there were two options for children aged between 9 months and 2 years: either they could go to "play schools" regulated by the Ministry of Education, Science and Culture, mostly at the parents' cost but also with funding from the municipalities, or they could be left with "day parents", private people who obtained a licence from the municipality and cared for four or five children. The latter option was useful, in that it allowed children to stay in a home environment, but not all areas had day parents and parents were left with few or no options. Moreover, day parents were not monitored sufficiently and some people considered that the system was not in line with modern ideas about the care of very young children. The Ministry of Education, Science and Culture had put forward the possibility of providing play schools straight after the end of the period of parental leave and a survey of parents had shown that they supported that suggestion. On the other hand, play schools were more expensive for municipalities. Negotiations to increase the number of play schools would take time. Meanwhile, the Ministry of Social Affairs and Housing had just set up a committee, of which she was the Chair, to oversee the work of day parents. The committee looked forward to modernizing the system and making it safer.

12. **Ms. Arocha Domínguez**, addressing issues under article 12 of the Convention, said that, while the Committee commended the high standard of living achieved in Iceland, it had expressed concern following the previous report about a number of aspects of mental health, which were not all covered in the combined seventh and eighth periodic reports. The Committee had drawn the State party's attention to the problems of addiction, mental health and suicide, but the report mentioned only smoking. There was no indication of the impact of smoking, which remained at a high level, on the health of both women and men. She would appreciate further information about suicide and about mental health, in particular. She wondered whether the Government had adopted a gender-based approach in that regard. She further inquired whether the HIV infection rate had increased since screening had been introduced. It was a matter of concern that the infection rate was the highest outside sub-Saharan Africa and the Caribbean and she wondered why that was so. She asked how HIV was most commonly transmitted and whether it was vertically transmitted from mother to child. The high abortion rate, particularly among girls under 16 years of age, was also a matter of concern. The State party made much of the availability of sex education, contraceptives and support services, yet that raised the question of why abortions occurred in such numbers. Was it due to irresponsible behaviour on the part of young people? It was also surprising that a health worker or social worker had to give authorization for an abortion, even though abortion had been a right for the past 40 years. It was reported that people felt humiliated to be required to account for their conduct.

13. **Ms. Bolladóttir** (Iceland) said that the requirement of authorization by a social worker was a relic of old legislation. The original focus of the requirement had been to offer counselling, but the Ministry of Health intended to appoint a committee to look into the matter. As for the questions about mental health and HIV, Iceland would provide a response in writing.

14. **Ms. Pomeranzi**, addressing issues under articles 13 and 14 of the Convention, said that she wished to commend the State party's achievements with regard to women's economic participation. For the past seven years it had headed the Global Gender Gap Index. Behind every statistic was a complex social reality, however. For example, the gender quotas given in article 18 of the Act on Equal Status and Equal Rights of Women and Men currently applied only to the boards of companies with 50 or more employees. That figure should be reduced to the boards of medium-sized companies, which were responsible for 80 per cent of the country's production.

15. In 2015, the Icelandic Film Centre had been publicly criticized for the low funding allocated to films by women. Only 13 per cent of films had been made by women since 2012. A similar point could be made about pop music: men made up the majority of the boards of the regulatory bodies of pop music and men were the principal organizers of Icelandic music festivals. She asked whether the Government had any plans to review regulations on government-funded boards to ensure that public funds were equally divided between men and women.

16. **Ms. Ameline** said that the State party was to be commended for its efforts to fight for gender equality within the Conference of Parties to the United Nations Framework Convention on Climate Change (COP21). She wondered how it could be ensured that women were at the cutting edge of the development of work on climate change and other areas, such as artificial intelligence and the digital society.

17. **Ms. Hofmeister** asked whether the State party planned to improve infrastructure in rural areas. It was often difficult for single mothers to get children to school by car, owing to difficult weather conditions. She also asked whether, in view of intersectional and multiple discrimination that they might face, women with disabilities had access to the labour market. She further asked whether women asylum seekers with special grounds for asylum were entitled to permanent work and residence permits. Lastly, she asked whether female prisoners could undertake work in and out of prison.

18. **Ms. Gunnarsdóttir** (Iceland) said that a draft action plan on gender equality to be submitted to the parliament by the Minister of Social Affairs and Housing in the spring contained three chapters: on the role of men; on gender equality and the Arctic; and on gender equality and climate change. One problem was the amount of money needed to fight climate change; because the energy industry was male-dominated, so was the battle against climate change and for that reason it was difficult to ensure a better gender balance. It was therefore important that gender equality should be mainstreamed in the 2030 Agenda for Sustainable Development. Under the leadership of the Minister for Foreign Affairs, Iceland had held a so-called Barbershop Conference in New York, at which 100 ambassadors had discussed the role of men and boys in gender equality. The conference had had no agenda or written statements but consisted of a general discussion on how men could contribute to gender equality. A similar meeting had been held at the International Renewable Energy Agency in Abu Dhabi and meetings would also be held at the headquarters of the North Atlantic Treaty Organization (NATO) and at the Palais des Nations in Geneva.

19. **Ms. Erlingsdóttir** (Iceland) said that, although it was true that only 13 per cent of full-length films were made by women, women were getting more funding for documentary films and scriptwriting. Nonetheless, the Minister of Education, Science and Culture had said that the figures were unacceptable. To redress the balance, the Minister had established a committee to make proposals to improve the situation. One suggestion had been to bring in experts from outside Iceland to provide a neutral view of funding decisions. The Swedish film maker Anna Serner had spoken to a gender equality forum in Iceland about how she had managed to turn the situation around in Sweden by persuading all the parties concerned to improve the gender balance of funding without the imposition of quotas. With regard to the situation in the world of pop music, she had no information and would provide it in writing.

20. **Ms. Bolladóttir** (Iceland) said that, under Icelandic law, persons with disabilities must be provided with living conditions similar to those of other people, including access to the labour market. The Directorate of Labour had taken strong action in that regard, including the launch of a campaign that could be translated as "All the Talents". As for the question of women in remote areas who had a problem getting their children to school, she said that all women in Iceland faced the same problem. If

a child lived more than a kilometre from school, a bus was provided. Social services sometimes helped single mothers, but such issues were mostly resolved on a community basis. With regard to the question of women's work in the prison system, she said that women were allowed to work, although, in view of the logistical difficulties of entering into contracts with manufacturers, sometimes there was a shortage of work. All prisoners were entitled to work and to have access to education. As for the question about the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), the delegation would provide further information in writing.

21. **Ms. Halperin-Kaddari** said that the approach used in Iceland to distribute parental tasks and responsibilities more equally was interesting. She wished to know whether there were available data on how many men took parental leave, especially following the reduction in the allowance made to fathers, and on how childcare and household work were divided on a daily basis between fathers and mothers. Had there been an increase in the number of men contributing to unpaid household chores? She wondered whether fathers continued to help with such tasks throughout the child's life or whether sharing of household duties was limited to the period of paternity leave.

22. **Ms. Hofmeister** said that she would like to know more about the opportunities for permanent residence and work permits afforded to immigrant women, especially those seeking asylum, who were victims of domestic violence.

23. **Ms. Bolladóttir** (Iceland) said that there were no restrictions on work permits if an individual had entered the country legally. Special provision had been made for women asylum seekers who had been the victims of violence. As part of the process of ratifying the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, a bill had been prepared and was due to be presented to the parliament. The bill contained proposals for amendments to the General Penal Code that would provide for additional protections for women. Special circumstances, including domestic violence, were always taken into account by the courts.

24. **Ms. Erlingsdóttir** (Iceland) said that extensive data were indeed available, and a great deal of research had also been conducted, on the subject of parental leave. Research had been conducted concerning children up to 3 years of age. Parental leave had a very positive effect on the sharing of childcare responsibilities between parents. Iceland had a high level of labour participation for men and women and a low number of hours were spent on housework in comparison with other countries. The number of hours spent on housework by men had increased between 2005 and 2013, from seven to nine hours per week, while the number for women had decreased from 14 to 13. Those changes reflected an evolution in attitudes and the effectiveness of the Parental Leave Act.

Articles 15 and 16

25. **Ms. Halperin-Kaddari** said that she would like to know more about the issue of the division of marital property following divorce. Unfortunately, the information requested in the Committee's previous concluding observations (CEDAW/C/ICE/CO/6) on the economic consequences of divorce had not been provided in the State report. She wondered whether there been amendments to the Marital Act since 1993, when it had been enacted. She would appreciate hearing about how women's interest in marital property was being safeguarded. Under the deferred community of property system in Iceland, women might be disadvantaged, as the marital property was often registered solely in the man's name. She wished to know what mechanisms had the State party put in place in order to prevent women's property interest from being negatively affected following divorce.

26. Future earning capacity and enhanced earning capacity were not taken into account in dividing up assets following divorce or separation. The State party was responsible for eliminating discrimination against women in all matters relating to marriage and should take into account the Committee's general recommendation No. 29 (CEDAW/C/GC/29) on the economic consequences of marriage, family relations and their dissolution in doing so. Almost 90 per cent of child custody cases in Iceland resulted in shared custody. It was not clear whether that was the result of court decisions or of choices made by the parents. There was a growing body of research to suggest that joint custody was not necessarily always beneficial for the child. She would like to know whether the State party was monitoring the consequences of joint custody on children's development. She wondered whether there were any safeguards in place to prevent joint custody from being granted in cases of domestic abuse. It was unclear which parent received child support payments in cases of joint custody and how those payments were divided between the mother and father. Fathers often opted for joint custody in order to avoid paying child support. It would be useful to know whether steps were being taken to prevent that from taking place. Even in cases of joint custody, the child had a single registered address; the State party should explain why that was the case.

27. **Ms. Bolladóttir** (Iceland) said that parents could either agree on a joint custody arrangement or a joint custody decision could be handed down by the courts. She was aware of only one case in which joint custody had been ruled on in a court of law. In cases of joint custody, the parent who had the child registered in his or her home was de facto the person who made important decisions concerning the child, notwithstanding the fact that parents with joint custody should have an equal part in the child's upbringing. A Government committee had therefore been set up in 2015 to further explore and assess the impact of joint custody. The committee had proposed a new scheme known as "shared living", by which parental responsibilities and rights would be more equally shared between the mother and father. The new shared living scheme was voluntary.

28. Courts would be extremely unlikely to grant joint custody in cases in which domestic violence had occurred, as the environment would be considered unstable for the child. The best interests of the child were always paramount in child custody cases. The amount of child support provided by the State was fixed and could be doubled in the event that the parent with whom the child was living had a low income or the child had special needs.

29. Each person in a common law marriage retained possession of the assets that they had brought to the relationship following a separation. There was no mutual obligation to provide economically for one another that existed for married couples. Assets acquired jointly during both formal and common law marriages were split equally between the parties upon divorce or separation. That principle had been confirmed by a recent ruling of the Supreme Court, which had held that, following the end of a common law marriage, all assets acquired jointly during the union should be split equally between the parties. A clause in the domestic matrimonial legislation provided that one party could be required to provide support for the other following a divorce under exceptional circumstances, including if there was a significant difference in their earnings or one partner had stayed at home to care for the children.

30. **Ms. Halperin-Kaddari** said that she would like to know if there was a specific clause in the relevant legislation on how domestic violence was addressed in child custody cases. On the issue of child support, she wished to know whether the delegation was referring to the allowance provided by the State or the amount that parents paid.

31. **Ms. Bolladóttir** (Iceland) said that there was a specific legal provision in the Children's Act intended to protect children from violence. A similar provision was also contained in the Child Protection Act. In deciding on custody cases, the courts took into consideration the ability of the parents to provide a safe and stable environment and the child's connection to each of the parents. Child support should be understood as the sum paid by one parent to another, and not as a public allowance.

32. **Ms. Erlingsdóttir** (Iceland) said that there was no fund in Iceland, as in other countries such as Sweden, to make up for shortfalls in pensions owing to gender segregation in the workplace. However, that was one of the issues that the Action Group on Equal Pay was studying closely. It was true that too many women received only the basic State pension.

33. **Ms. Gunnarsdóttir** (Iceland) said that the delegation would like to thank the Committee for the constructive dialogue, which had been very useful.

The meeting rose at 5 p.m.